

IN RE: PETITION FOR ADMIN. VARIANCE  
S/S Bridle Brook Dr., 540' E of  
the c/l of Marriottsville Rd.  
(9823 Bridle Brook Drive)  
2nd Election District  
3rd Councilmanic District  
Yun S. Chong, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-286-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Yun S. and Yoon-Mee Chong. The Petitioners request relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 (Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit a rear yard setback of 5 feet in lieu of the minimum required 11.25 feet, and an amendment to the Final Development Plan of Rolling Ridge, for a proposed deck in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements

of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1993 that the Petition for Administrative Variance requesting relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 (Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit a rear yard setback of 5 feet in lieu of the minimum required 11.25 feet, and an amendment to the Final Development Plan of Rolling Ridge, for a proposed deck in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

April 9, 1993

(410) 887-4386

Mr. & Mrs. Yun S. Chong  
9823 Bridle Brook Drive  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
S/S Bridle Brook Drive, 540' E of the c/l of Marriottsville Road  
(9823 Bridle Brook Drive)  
2nd Election District - 3rd Councilmanic District  
Yun S. Chong, et ux - Petitioners  
Case No. 93-286-A

Dear Mr. & Mrs. Chong:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Jae Sung Bae, Esquire  
1372 Washington Boulevard, Baltimore, Md. 21230

People's Counsel  
File



## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 9823 Bridle Brook Dr., Owings Mills, MD 21117

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 504 (V.B.6.b, CMDF) and 301.1.A (RCZR) To permit a 5 ft. rear setback in lieu of 11.25 ft. and an amendment to the FDP of Rolling Ridge.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):  
Back yard lot is too small to support a reasonable size deck (10' X 30'). The distance from my house to the neighbor's property line is 15'.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee	(See to whom you desire and when under the signature of you or your firm are the legal owner(s) of the property which is the subject of this petition)
Type or Print Name	Yun S. Chong
Signature	<i>Yun S. Chong</i>
Address	Yoon-Mee Chong
City	Owings Mills
State	MD
Zip Code	21117
Home for Petitioner	9823 Bridle Brook Dr. (410) 581-7967
Jae Sung Bae	Owings Mills MD 21117
Type or Print Name	Yun S. Chong
Signature	<i>Yun S. Chong</i>
Address	9823 Bridle Brook Dr. (410) 581-7967
City	Owings Mills
State	MD
Zip Code	21117

A Public Hearing having been requested and/or held as required, it is ordered, if so ordered, by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertisement, as required by the Zoning Regulations of Baltimore County, at the time and place indicated below.

REVIEWED BY: R.T. DATE: 3-24-93  
ESTIMATED POSTING DATE: 3-24-93

ORDER RECEIVED FOR FILING  
Date 4/9/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/9/93  
By [Signature]

- 2 -

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 9823 Bridle Brook Dr.  
Owings Mills MD 21117

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate location or previous address)

Back yard lot is too small to support a reasonable size deck (10' X 30').  
The distance from my house to the neighbor's property line is 15'.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Yun S. Chong*  
Yun S. Chong  
*Yoon-Mee Chong*  
Yoon-Mee Chong

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 9th day of March, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
Yun S. Chong and Yoon-Mee Chong

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal:  
March 1, 1993  
My Commission Expires: 7-24-06

### ZONING DESCRIPTION

ZONING DESCRIPTION FOR 9823 Bridle Brook Dr., Owings Mills, MD 21117.

Election District: 2 Councilmanic District: 3

Being Lot #22, Section #02, Plat #002, Book #63, Folio #115, containing 0.176 acres in the subdivision of Rolling Ridge. ECOT. 2, 2nd Amended, P.D.P.

### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: 3/19/93  
Posted for: Variance  
Petitioner: Yun S. Chong, Yoon-Mee Chong  
Location of property: 9823 Bridle Brook Drive (9823) 540' E of Marriottsville Rd.  
Location of Signs: 9823 Bridle Brook Drive, 9823 Bridle Brook Drive  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 3/26/93  
Number of Signs: 1

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

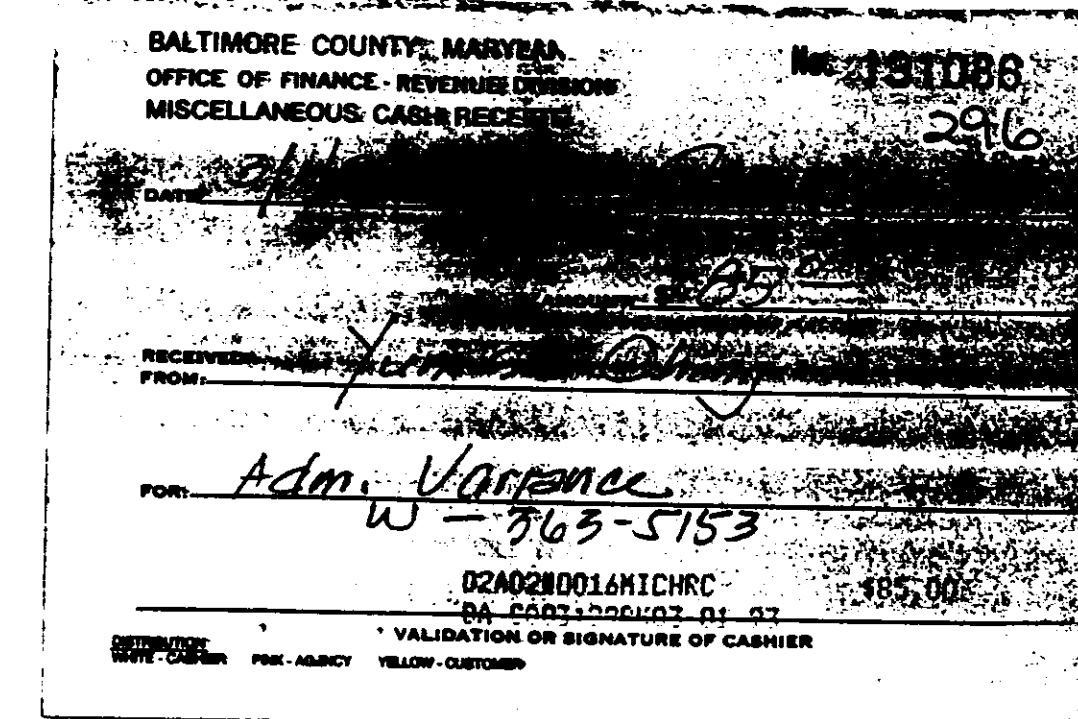
93-286-A

receipt

Date	3/02/93	H9300296
PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$50.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$35.00
LAST NAME OF OWNER: CHONG	TOTAL:	\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

March 24, 1993

Jae Sung Bae, Esquire  
1372 Washington Boulevard  
Baltimore, MD 21230

RE: Case No. 93-286-A, Item No. 296  
Petitioner: Yun S. Chong, et ux  
Petition for Administrative Variance

Dear Mr. Bae:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on March 2, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MD SHA Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

3-11-93

Re: Baltimore County Item No. \* 296 (RT)

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small for John Contestabile, Chief Engineering Access Permits Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and Development Management DATE: March 18, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 295, 296, 301, 303.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Cheryl Green

PK/JL:lw

295.2AC/2AC1

93-286-A 4/5/93

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500 (410) 887-4500

MARCH 24, 1993

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: YUN S. CHONG AND YOON-FEE CHONG Location: #9823 BRIDLE BROOK DRIVE Item No.: \*296 (FT) Zoning Agenda: MARCH 15, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. Jimmy Dwyer Noted and Approved by Planning Group Fire Prevention Bureau Special Inspection Division

JP/KEKH

Printed on Recycled Paper

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204 March 11, 1993 (410) 887-3353

Yun S. Chong and Yoon-Fee Chong 9823 Bridle Brook Drive Owings Mills, Maryland 21117

Re: CASE NUMBER: 93-286-A (Item 296) 9/8 Bridle Brook Drive, 540' +/- E of c/l Marriottville Road 9823 Bridle Brook Drive 2nd Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before March 21, 1993. The closing date (April 5, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Bel Jablon Arnold Jablon Director

cc: Joe Sung Bae

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Plat to accompany Petition for Zoning Variance (Administrative)

93-286-A

BRIDLE BROOK DRIVE

340' From the Main Sewer

Proposed 10' x 30' deck

2' OFFSET FROM SEWER (4813)

1' SIDE WALK

MINUTE BASEMENT FOR WALKWAY, DOWNER, DOWNSTAIRS AND UTILITIES

ROLLING RIDGE

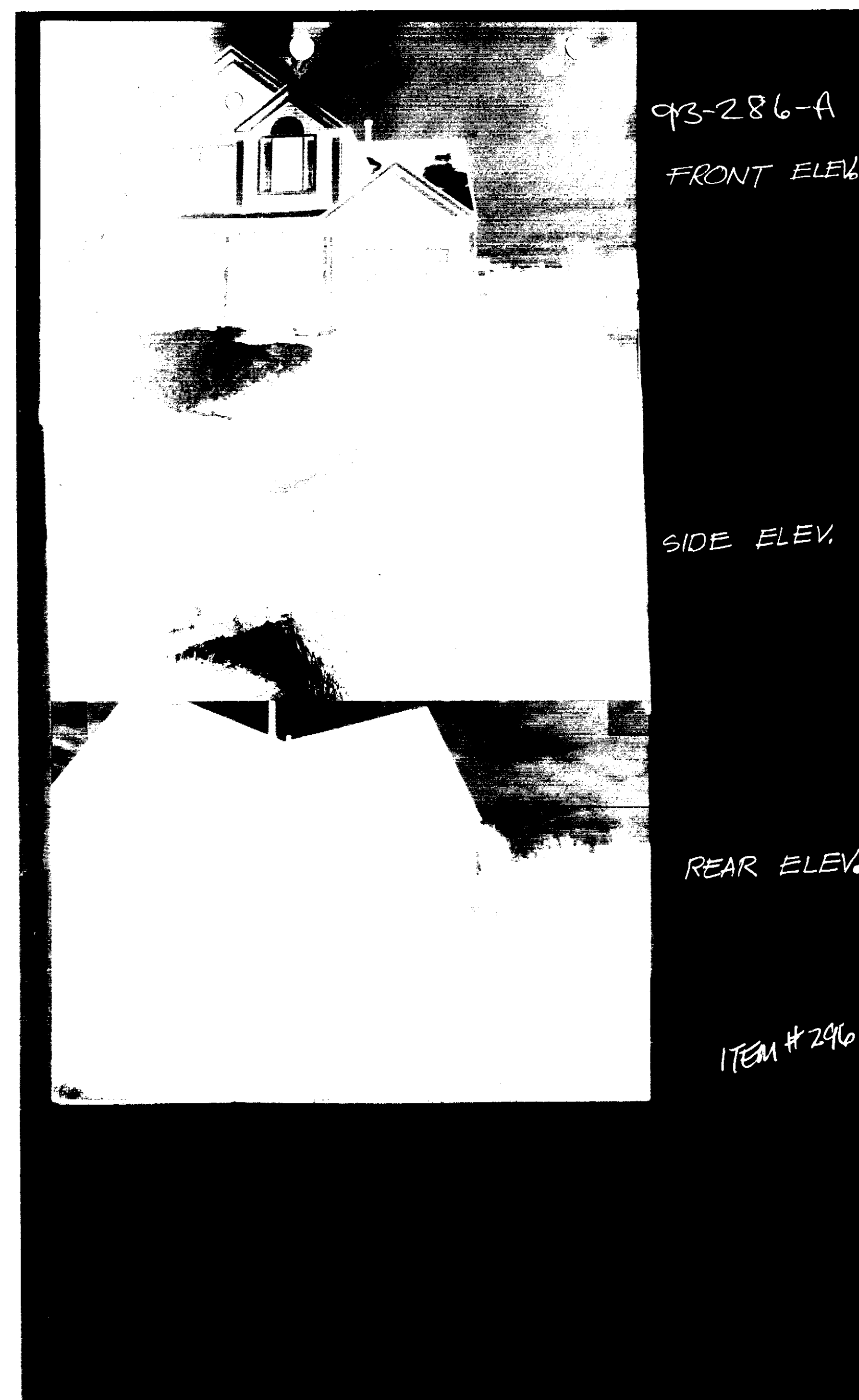
ITEM # 296

Councilmanic 3 D.C. 3-5 LOCATION SURVEY AUGUST 1972 PLAT TWO - SECTION 1

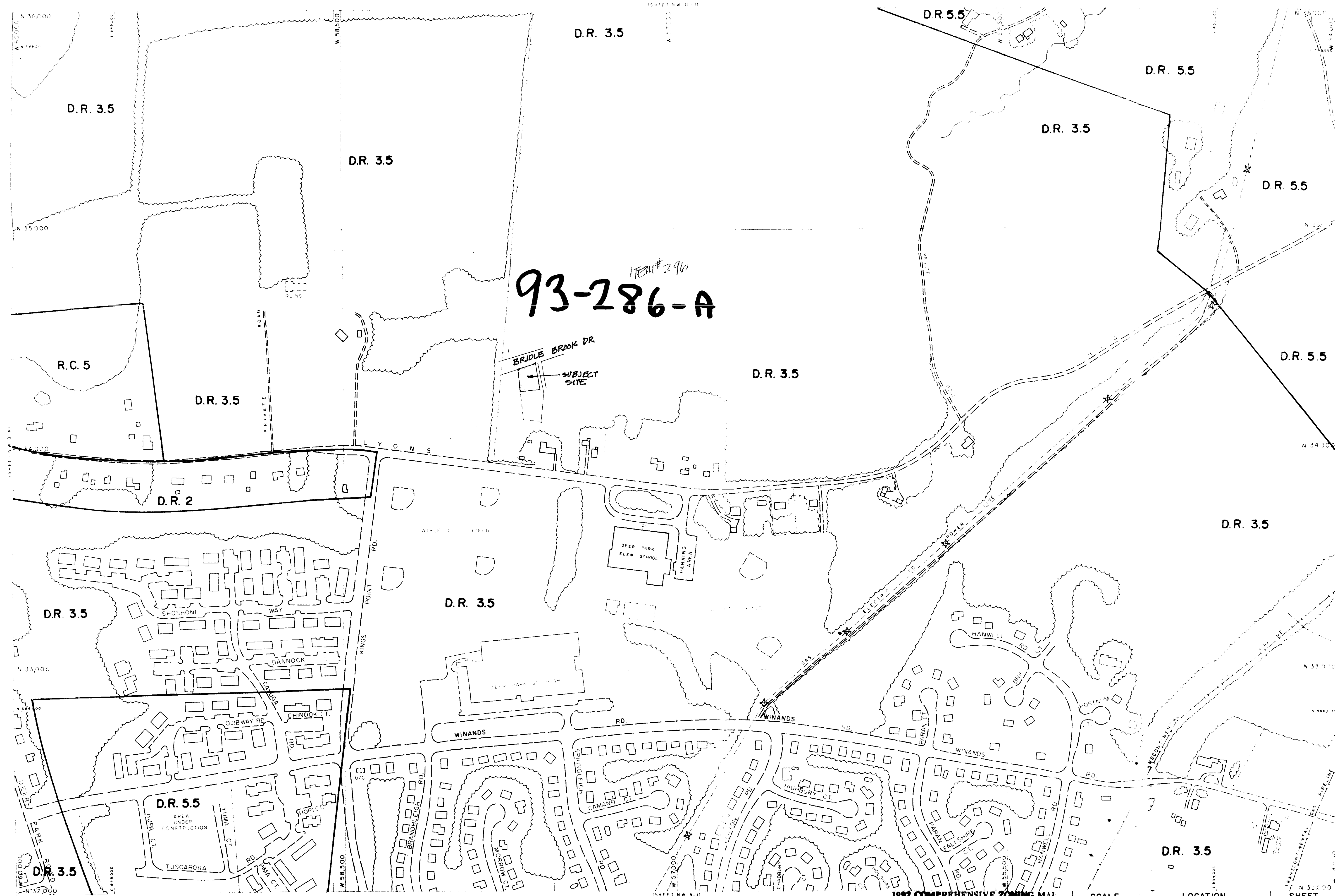
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 250010 02-105

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS AND THE IMPROVEMENTS ARE LOCATED AS SHOWN ON THIS PROPERTY CORRECTIONS HAVE NOT BEEN ESTIMATED OR SET

DAVE MAGNIE - TALKER, INC. 192 East Pennsylvania Avenue Towson, MD 21204







**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
 Adopted by the Baltimore County Council  
 Oct. 15, 1992

Ord. Nos. 823-92, 824-92, 825-92, 826-92, 827-92, 828-92, 829-92

*William A. Howard IV*  
 Chairman, County Council

SCALE  
 1" = 200'

DATE  
 OF  
 PHOTOGRAPHY  
 JANUARY  
 1986

LOCATION  
 HARRISONVILLE  
 VICINITY

SHEET  
 N.W.  
 9-J

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
 BY BUCHART-HORRI, INC. BALTIMORE, MD. 21210